

Indus water treaty

- India announced on Friday that it wants to modify the 62 -year old Indus Waters Treaty (IWT) with Pakistan, citing what it called Pakistan's "intransigence" in resolving disputes over the Kishenganga and Ratle hydropower projects, both in Jammu and Kashmir.
- India also protested Pakistan's "unilateral" decision to approach a court of arbitration at The Hague.
- Sources said the government had written to Pakistan on January 25, calling for modifications to the treaty as per Article XII (3) of the IWT that deals with the "final provisions" of the treaty.
- The Indus Waters Treaty (IWT) is an established water-distribution treaty between India and Pakistan to use water in the Indus and its tributaries
- Indus Waters Treaty was signed in Karachi on September 19, 1960, by then-Indian Prime Minister Jawaharlal Nehru and then-Pakistani President Ayub Khan, negotiated by the World Bank.
- The treaty establishes a cooperative mechanism for exchanging information between the two countries regarding the use of the western rivers (Indus, Jhelum, and

Chenab) allocated to Pakistan and the eastern rivers (Ravi, Beas, Sutlej) allocated to India.

- The Permanent Indus Commission, which has a commissioner from each country, oversees the cooperative mechanism and ensures that the two countries meet annually (alternately in India and Pakistan) to discuss myriad issues emerging from the treaty.

Some differences

- There have been many occasions during which differences between the two countries were discernible.
- For instance, both countries held different positions when Pakistan raised objections regarding the technical design features of the Kishanganga (330 megawatts) and Ratle (850 megawatts) hydroelectric power plants located on the tributaries of the Jhelum and the Chenab, respectively, designated as "Western Rivers".
- However, under Articles III and VII of the treaty, India is permitted to construct hydroelectric power facilities on these rivers (subject to constraints specified in Annexures to the Treaty).
- Differences were also discernible when Pakistan approached the World Bank to facilitate the setting

up of a court of arbitration to address the concerns related to these two projects referred to in Article IX Clause 5 of the treaty, and when India requested the appointment of a Neutral Expert referent to Clause 2.1 of Article IX on the settlement of differences and dispute of the treaty, respective

- Eventually, on March 31, 2022, the World Bank, in view of the differences, decided to resume two separate processes by appointing a neutral expert and a chairman for the court of arbitration.
- However, the two parties have not been able to find an acceptable solution
- Similarly, Pakistan, invoking Article VII Clause 2 on future cooperation, raised objections on the construction and technical designs of the Pakal Dul and Lower Kalnathe I hydropower plants located on Marusudar river, a tributary of the Chenab, in Kishtwar district of Jammu and Kashmir.
- The 117th and the 118th meetings of the Permanent Indus Commission held this year deliberated this issue
- India has raised concerns on issues such as Pakistan's blockade of the Fazilka drain, which resulted in water contamination in the border areas, referent to Article II Clause 3 and

Article IV Clause 4 and 6 of the treaty.

- During the 117th bilateral meeting in March, Pakistan assured India of all possible actions to ensure the free flow of the Fazilka drain into the Sutlej

Lessons from the treaty

- The treaty is an illustration of a long-standing engagement between the conflicting nations that has stood the vagaries of time.
- It has withstood tensions, including conflict, providing a framework for cooperation.
- The treaty, therefore, is considered one of the oldest and the most effective examples of water management cooperation in the region and the world.
- The 118th bilateral meeting corroborates its effectiveness.
- With the exception of differences on a few pending issues, both countries have avoided any actions resulting in the aggravation of the conflict or acted in a manner causing conflict to resurface.

THE HINDU

Potential for cooperation

- The treaty can serve as an edifice to address the challenges of climate change.
- Recognizing common interests and mutual benefits, India and Pakistan can undertake joint research on the rivers to study the impact of climate change for ‘future cooperation’ (underlined in Article VII).
- The Indus Waters Treaty also offers great potential for cooperation and development in the subcontinent which can go a long way in ensuring peace and stability

PERMANENT COURT OF ARBITRATION

- It is not a court in the traditional sense, but provides services of arbitration tribunal to resolve disputes between member states, international organizations, or private parties arising out of international agreements.
- PCA does not have permanent judges
- PCA was established by treaty at the First Hague Peace Conference, the Netherlands, in 1899.
- The order of PCA is binding on countries as there is no appeal process in the UN tribunal.

THE HINDU

Groundwater governance

- India, with nearly 18% of the world’s population, occupies about 2.4% of the total geographical area and consumes 4% of total water resources.
- A World Bank report says that India is the largest groundwater user.
- A rapidly growing economy and population are straining the country’s groundwater resources.
- Groundwater is the backbone of India’s agriculture and drinking water security in rural and urban areas, meeting nearly 80% of the country’s drinking water and two-thirds of its irrigation needs.
- Groundwater is pivotal to India’s water security.
- The fact that the theme of UN World Water Day 2022 was ‘Groundwater, Making the Invisible Visible’ is a reflection of the importance given to the resource across the globe.
- The central government is working to achieve the goal of sustainable groundwater management in collaboration with States and Union Territories.
- In this process, certain important deliverables have been identified that include a reduction in groundwater extraction to below 70%, increasing the network of groundwater observation wells,

- Installing digital water level recorders for real-time monitoring, periodic monitoring of groundwater quality, aquifer mapping, and data dissemination, having better regulation of groundwater extraction by industries, and promoting participatory groundwater management and even periodic groundwater resource assessment.
- In May 2019, a much-needed step of policy reform was done under the leadership of the Prime Minister with the creation of the Jal Shakti Ministry (a merger of the erstwhile Ministries of Water Resources, River Development, and Ganga Rejuvenation along with Drinking Water and Sanitation).
- This was to give impetus to the management of water resources with a special focus on demand and supply management.
- Realizing the importance of community participation, the Jal Shakti Abhiyan was launched subsequently to transform Jan Shakti into Jal Shakti through asset creation, rainwater harvesting ('Catch the Rain' campaign), and an extensive awareness campaign.
- Initiatives have also been taken for the effective management and regulation of groundwater, examples being the Atal Bhujal Yojana (ABY) and the National Project on Aquifer Management (NAQUIM).
- With the goal of "participatory groundwater management", ABY looks to inculcate behavioural change made possible by incentivisation.
- NAQUIM, which is nearing completion, envisages the mapping of sub-surface water-bearing geological formations (aquifers) to help gather authentic data and enable informed decision-making
- It is important to ensure source sustainability to provide safe drinking water to all rural households by 2024, under the Jal Jeevan Mission.
- Communities will have to manage their groundwater resources better with the help of various government agencies and non-governmental organizations.

THE HINDU

Issues linked with the cheetah project

- India and South Africa have finally signed a long-pending agreement to translocate 12 cheetahs to India.
- What are the conservation objectives of introducing African

cheetahs in India? Is it a priority for India? Is it cost-effective?

- Based on the available evidence it is difficult to conclude that the decision to introduce the African cheetah in India is based on science.
- Science is being used as a legitimizing tool for what seems to be a politically influenced conservation goal.
- This also in turn sidelines conservation priorities, an order of the Supreme Court, socio-economic constraints, and academic rigour.
- The issue calls for an open and informed debate.
- The officially stated goal is: Establish viable cheetah metapopulation in India that allows the cheetah to perform its functional role as a top predator and to provide space for the expansion of the cheetah within its historical range thereby contributing to its global conservation efforts.
- African cheetahs are not required to perform the role of the top predator in these habitats when the site (Kuno) that they have identified already has a resident population of leopards, and transient tigers and is also the site for the translocation of Asiatic lions as ordered by the Supreme Court of India in 2013.
- In other open dry habitats in India, there are species performing this role, e.g., wolf and caracal, both of which are highly endangered and need urgent conservation attention.
- Apart from establishing a cheetah population in India, the stated objectives include: To use of the cheetah as a charismatic flagship and umbrella species to garner resources for restoring open forest and savanna systems that will benefit biodiversity and ecosystem services from these ecosystems.
- Another goal is to enhance India's capacity to sequester carbon through ecosystem restoration activities in cheetah conservation areas and thereby contribute towards the global climate change mitigation goals.

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IR in the news

- The Supreme Court of Nepal declared that the Home Minister of Nepal Rabi Lamichhane is not a Nepalese citizen.
- Following the verdict from a Constitutional Bench of the Court, Mr. Lamichhane whose Rashtriya Swatantra Party emerged as the kingmaker in the November 2022

election is expected to lose his seat
in Parliament.

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